



# Closing a Meeting

Public bodies exist to aid in the conduct of the people's business; therefore, their actions and deliberations should be taken and conducted openly. In fact, that's the law. (U.C.A. 52-4-102).

The same law, however, provides a caveat: Closing a Meeting. Recognizing that there are situations where it may be in the best interest of all involved to allow for private discussion, U.C.A. 52-4 also details when and how to deviate from the charge of transparency.

## WHEN

Closed meetings are never required, but may be held provided all the requirements outlined in the statute are met.

First, it's important to ensure you have a quorum present. Without a quorum, you cannot close a meeting.

## WHO

Next, you must identify if the topic to be discussed is authorized by the law. Closing a meeting may occur for the following reasons:

## WHAT

- ◆ Discussion of character, professional competence, or physical or mental health of an individual.
- ◆ Strategy session to discuss pending or reasonably imminent litigations.
- ◆ Deployment of security personnel, devices, or systems.
- ◆ Investigative proceedings regarding allegations of criminal misconduct.

## HOW

To close a meeting, two-thirds of the members in attendance must vote to close the meeting. A board member should motion for the meeting to be closed in accordance with U.C.A. 52-4-201(1)(a), and identify the reason.

## KEEP IN MIND

No ordinance, resolution, rule, regulation, or contract of appointment can be approved in the closed meeting. You must re-open the meeting prior to any binding action being taken.

Additional information is required to be documented when a meeting is closed, and closed meetings may or may not require recordings or minutes.

This is just a brief overview of closed meetings, for more information, see U.C.A. 52-4.